

REMARKS

Claims 1-5, 7, 9-11 and 14-19 remain pending in the application, with claims 1, 4, 7 and 19 being the independent claims. Reconsideration and further examination are respectfully requested.

Applicants concurrently are submitting an Information Disclosure Statement, listing the prior art that was cited in related patent application serial number 09/555,972, now U.S. Patent 6,696,967. Consideration of the listed references is respectfully requested.

In the Office Action, claims 1-5, 10, 11, 14-16, 18 and 19 were rejected under 35 USC § 102(b) over U. S. Patent 5,432,500 (Scripps); and claims 7 and 9 were rejected under § 103(a) over Scripps in view of U. S. patent 4,384,488 (Scheidweiler). Withdrawal of these rejections is respectfully requested for the following reasons.

Each of pending independent claims 1, 4, 7 and 19 is directed to a system for detecting heat, radiation and/or pollutants. The system includes a housing assembly and a cartridge detachably mountable within the housing assembly. The cartridge, in turn, contains a detection apparatus for detecting at least one of heat, radiation and pollutants; and the detection apparatus includes detection circuitry, a power source and an alarm such that the cartridge is operable independently of the housing assembly to detect the at least one of heat, radiation and pollutants and to activate the alarm upon such detection.

The foregoing combination of features is not disclosed or suggested by the applied art. For example, neither Scripps, Scheidweiler nor any permissible combination of these two references would have disclosed or suggested at least the feature of a self-contained cartridge, as presently recited, that is detachably mountable within a housing assembly.

The Office Action has asserted that Scripps shows this feature of the invention, without pointing to any particular components of Scripps on which the recited "cartridge" or the recited "housing assembly" would read. Although it is not entirely clear, taking all of the present claim rejections together, it appears that the Office Action might be asserting that Scripps' housing 12 is itself a cartridge, presumably meaning that the recited "housing assembly" reads on Scripps' light bulb socket 30.

In this regard, Applicants are attaching a copy of the entry for the term "housing" from the Merriam-Webster Online Dictionary. As shown, the relevant definition for this term is, "*3: something that covers or protects: as a: a case or enclosure (as for a mechanical part or an instrument)*".

The recitation in each of the present independent claims that the cartridge is detachably mountable "within" a housing assembly is consistent with this definition. Moreover, independent claim 4, e.g., notes, "when said cartridge is inserted fully into said housing assembly".

Considering the foregoing definition, together with the language of the present claims, Scripps' light bulb socket 30 clearly is not a housing within which Scripps' actual housing 12 detachably mounts. In fact, it appears that no portion of Scripps' housing 12 actually enters light bulb socket 30; only the threaded connector 14 (which does not include any detection circuitry, power source or alarm) actually enters light bulb socket 30. Thus, Scripps' housing 12 is unprotected by any separate housing assembly, as compared with the recited cartridge in the present claims.

In fact, the only possible component of Scripps that could be said to constitute a "housing assembly" is Scripps' own self-described housing 12. As shown in Figure 1, housing 12 in

Scripps attaches to (but clearly is not mountable within) a light bulb socket 30, and then a light bulb attaches to housing 12. It is noted that the only element in Scripps that is described as a "housing" is in fact Scripps' housing 12.

However, the Office Action has not identified any cartridge that is detachably mountable within Scripps' housing 12, and Applicants are unable to find any such cartridge disclosed or suggested in Scripps. The portions of Scripps cited in the Office Action with respect to this feature of the invention have been analyzed in particular detail and are not seen to say anything at all about such a cartridge.

Figure 1 of Scripps merely shows an exploded view of socket 30, housing 12 and light bulb 22. Figure 2 merely shows a block diagram of the internal components of housing 12. Column 3 lines 61-66 merely notes that the assembly 10 (which includes threaded portion 14, as well as housing 12) is removably received into socket 30; it says nothing at all about a cartridge detachably mountable within a housing assembly. Column 4 lines 2-32 also notes that the threaded portion of assembly 10 connects to socket 30, as well as describing certain aspects of housing 12; however, it also says nothing at all about a cartridge that is detachably mountable within housing 12.

To the extent that the foregoing portions of Scripps are cited in support of an argument that the presently recited "cartridge" reads on Scripps' housing 12 and the presently recited "housing assembly" reads on Scripps' light bulb socket 30, nothing in those cited portions contradicts the points set forth above that such a reading clearly is untenable in view of the existing claim language and the ordinary meaning of the term "housing".

Scheidweiler also has been studied in detail, but is not seen to say anything that would overcome the foregoing deficiencies of Scripps. Moreover, the Office Action has not even asserted that Scheidweiler says anything in this regard.

For at least these reasons, independent claims 1, 4, 7 and 19 are believed to be allowable over the applied art. If for any reason the Examiner continues to disagree, then a more detailed description of the rejection is respectfully requested, specifically pointing out the components of Scripps on which the foregoing claim limitation allegedly reads.

The other rejected claims in this application depend from the independent claims discussed above, and are therefore believed to be allowable for at least the same reasons. Because each dependent claim also defines an additional aspect of the invention, however, the individual reconsideration of each on its own merits is respectfully requested.

For instance, dependent claim 2 recites the additional feature that the housing assembly comprises an upper housing member and a base, the upper housing member and the base being adapted to be fitted together so as to provide an opening to slidably receive the cartridge within said housing assembly. The Office Action cites Figure 1 and column 4 lines 23-27 of Scripps as showing this feature of the invention.

At the outset, it is unclear what the Office Action is asserting in terms of which claim features read on which components of Scripps' assembly. Additional clarification in this regard is respectfully requested.

However, the cited portions of Scripps merely discuss and show Scripps' assembly 10 screwing into light bulb socket 30. They say nothing at all about an upper housing member and a base configured so as to slidably receive a cartridge.

For these additional reasons, dependent claim 2 is believed to be allowable over the applied art.

Dependent claim 15 recites the additional feature that the cartridge is slidably mountable within the housing assembly. Column 4 lines 23-27 of Scripps also was cited as showing this feature of the invention. Again however, that portion of Scripps merely describes screwing the threaded portion of Scripps' assembly 10 into light bulb socket 30, and says nothing at all about slidably mounting a cartridge into any housing assembly. For these additional reasons, dependent claim 15 is believed to be allowable over the applied art.

Dependent claim 5 recites the additional feature of a cover that is movable between first and second positions in response to insertion and removal of said cartridge into and from said housing assembly. In the first position the cover restricts physical access to the first electrical connector and in the second position of the cover allows engagement of said first and second electrical connectors, as such connectors are recited in independent claim 4.

Once again, it is unclear what the Office Action is asserting in terms of which claim features read on which components of Scripps' assembly. Additional clarification in this regard is respectfully requested.

Moreover, the Office Action asserts that this feature of the invention is inherent in column 4 lines 23-27 of Scripps. However, as noted above, this portion of Scripps merely describes screwing the threaded portion of Scripps' assembly 10 into light bulb socket 30. It says nothing at all about a cover, movable between first and second positions, for restricting access to a first electrical connector or allowing engagement between first and second electrical connectors.

When inherency is asserted, extrinsic evidence must be cited to show that the missing descriptive matter is necessarily present in the thing described in the reference:

To establish inherency, the *extrinsic evidence* [emphasis added] "must make clear that the missing descriptive matter is necessarily present in the thing described in the reference, and that it would be so recognized by persons of ordinary skill." Continental Can Co. v. Monsanto Co., 948 F.2d 1264, 1268, 20 U.S.P.Q.2d 1746, 1749 (Fed. Cir. 1991). "Inherency, however, may not be established by probabilities or possibilities. The mere fact that a certain thing may result from a given set of circumstances is not sufficient." *Id.* at 1269, 20 U.S.P.Q.2d at 1749 (quoting In re Oelrich, 666 F.2d 578, 581, 212 U.S.P.Q. 323, 326 (C.C.P.A. 1981)).

In re Robertson, (Fed. Cir. 1999) 169 F.3d 743, 745; 49 U.S.P.Q.2d 1949.

Here, however, no extrinsic evidence has been cited to show that the above-reference feature of the invention necessarily is present in the cited portion of Scripps. For this additional reason, dependent claim 5 is believed to be allowable over the applied art.

In order to sufficiently distinguish Applicants' invention from the applied art, the foregoing remarks emphasize several of the differences between the applied art and Applicants' invention. However, no attempt has been made to categorize each unobvious difference. Applicants' invention comprises all of the elements and all of the interrelationships between those elements recited in the claims. It is believed that for each claim the combination of such elements and interrelationships is not disclosed, taught or suggested by the applied art. It is therefore believed that all claims in the application are fully in condition for allowance, and an indication to that effect is respectfully requested.

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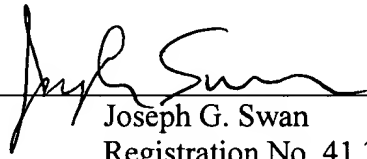
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